

PAN:CSK
F.#2009RO1998

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
- - - - -X

UNITED STATES OF AMERICA

- against -

ORDER

CR 11-134 (SJ)

CHAIM LEBOVITS, et al.,

Defendants.

- - - - -X

Defendant Moses Neuman having moved the Court for a protective order and the government having cross-moved the Court for a protective order, and the Court having considered the briefs submitted by the parties and the arguments made on that motion and that cross-motion,

WHEREFORE, it is hereby ordered, adjudged and decreed that:

(1) the Defendant Moses Neuman shall be, and hereby is, directed to deliver to the Court, for placement under seal, the copies of the following Disks that he received from the government and to destroy all other copies of these Disks: Disks 45, 47, 48, 49, 50 and 51^{1/};

(2) the Defendant Yudah Neuman shall be, and hereby is, directed to deliver to the Court, for placement under seal, the copies of the following Disks that he received from the government and to destroy all other copies of these Disks: Disks

^{1/} The government will replace Moses Neuman's versions of Disks 47 and 51 with versions that contain only the communications of Moses Neuman on those Disks, but not the communications of Yudah Neuman.

44, 45, 46, 47, 49, 50 and 51^{2/};

(3) the Defendant Avigdor Gutwein shall be, and hereby is, directed to deliver to the Court, for placement under seal, the copies of the following Disks that he received from the government and to destroy all other copies of these Disks: Disks 44, 46, 47, 48, 49, 50 and 51;

(4) the Defendant Edward Grodsky shall be, and hereby is, directed to deliver to the Court, for placement under seal, the copies of the following Disks that he received from the government and to destroy all other copies of these Disks: Disks 44, 45, 46, 47, 48 and 51;

(5) each of the Defendants Chaim Lebovits and Leo Fekete shall be, and hereby is, directed to deliver to the Court, for placement under seal, the copies of the following Disks that he received from the government and to destroy all other copies of these Disks: Disks 44-51; and

(6) each of the defendants shall be, and hereby is, directed not to disclose the contents of any of the communications of any other defendant that were classified as privileged or non-pertinent by wire room or taint team agents and that are contained on any Disk that that defendant has been ordered to deliver to the Court in paragraphs 1 through 5 above.

The government has certified to the Court that no member of the prosecution team, which consists of Assistant U.S. Attorney Charles Kleinberg, Postal Inspector Maria Albright,

^{2/} The government will replace Yudah Neuman's versions of Disks 47 and 51 with versions that contain only the communications of Yudah Neuman on those Disks, but not the communications of Moses Neuman.

Special Agent Sheldon Tang of the Internal Revenue Service and John Marcone of the New York State Department of Insurance, shall review any communications on Disks 44-51 that were classified as privileged or non-pertinent by wire room or taint team agents, except upon good cause, in which case the government shall give to the Court prior notice and prior opportunity to prevent such review. The government has also certified to the Court that, henceforth from the date of this order, it will not disclose the contents of any communications on Disks 44-51 that were classified as privileged or non-pertinent by wire room or taint team agents, except upon good cause, in which case the government shall give to the Court prior notice and prior opportunity to prevent such disclosure.

Dated: Brooklyn, New York
September 8, 2011

s/ SJ

Honorable Sterling Johnson
United States District Judge
Eastern District of New York